

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

---

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 92-CR-80236-DT

FELIX WALLS,

Defendant.

---

**ORDER DENYING “PETITION/MOTION TO AMEND APRIL 2, [2006] ORDER”**

Pending before the court is Defendant Felix Walls’s “Petition/Motion to Amend April 2, [2006] Order,” filed on May 10, 2006. In his motion, Defendant asks the court to amend its April 2, 2006 order by allowing Defendant “to file a response to the Government’s reply for the sake of justice.” (Def.’s Mot. at 1.) Defendant further asks the court to “permit a full scale hearing on the record regarding the issue that there is no valid statu[t]e duly enacted by Congress.” (*Id.*)

As an initial matter, although no order was entered on April 2, 2006, the court finds that Defendant is referring in his motion to certain directives which the court made during the *May 2, 2006 hearing*, which were later recorded in its May 9, 2006 order. Specifically, the court held that (1) Defendant shall have until May 30, 2006 to file a motion attacking this court’s jurisdiction; (2) the Government shall file its response to the motion by June 13, 2006; and (3) no reply shall be filed. (5/09/06 Order at 1.) Although Defendant’s current motion asks for an opportunity to file “a response to the Government’s reply,” the court reiterates that each party shall be allowed only one brief

on the jurisdictional issue, as outlined in this court's May 9, 2006 order. If, after reviewing the briefs, the court finds that additional briefing is necessary, the court will issue an appropriate order. Until such time, however, Defendant's request to file, in essence, a rebuttal brief is denied.

The court will also deny Defendant's request for a "full hearing" on the jurisdictional issue. As stated in the May 9, 2006 order, the court has *tentatively* scheduled a hearing for June 29, 2006 at 2:00 p.m. The court specifically held that "[t]he parties are on notice, however, that the court may cancel the hearing or convert it to a re-sentencing hearing, if the jurisdictional motion is resolved prior to the hearing." (*Id.* at 1-3.) As explained in the May 9, 2006 order, the court cannot guarantee that the June 29 hearing will be devoted to the jurisdictional issue, inasmuch as the issue may be resolved prior to June 29. Accordingly,

IT IS ORDERED that Defendant's May 10, 2006 "Petition/Motion to Amend April 2, [2006] Order" [Dkt. # 600] is DENIED.

S/Robert H. Cleland  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: May 16, 2006

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, May 16, 2006, by electronic and/or ordinary mail.

S/Lisa Wagner  
Case Manager and Deputy Clerk  
(313) 234-5522